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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,171	10/31/2000	Aman Safaei	W1200-00034	9592
8933 7	590 11/01/2002			
DUANE MORRIS, LLP ATTN: WILLIAM H. MURRAY ONE LIBERTY PLACE			EXAMINER	
			RADA, ALEX P	
1650 MARKE			ART UNIT	PAPER NUMBER
PHILADELPHIA, PA 19103-7396			3714	TATER NUMBER
			DATE MAILED: 11/01/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Office Action Summary Application No. Ogr/703,171 SAFAEI ET AL. Examiner Art Unit Alex P. Rada 3714 AFROMAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Evantacinos of the may be available used the provision of 37 CFR 1.136(s). In no event, however, may a reply be timely filed Evantacinos of the may be available used the provision of 37 CFR 1.136(s). In no event, however, may a reply be timely filed Evantacinos of the reply septimized bears the provision of 37 CFR 1.136(s). In no event, however, may a reply be timely filed Evantacinos of the reply septimized bears that there (30) days, a reply within the statutory minimum of thirty (30) days, a reply within the statutory minimum of thirty (30) days, a reply within the statutory minimum of thirty (30) days, a reply within the provision of t			A-1			
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14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).	application from the International Bureau (PCT Rule 17.2(a)).					
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a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.						
Attachment(s)			(PTO 440) P N. 43			
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informa				

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Art Unit: 3714

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-30, drawn to the transmitting of wagering data for a race contest, classified in class 700, subclass 91.
 - II. Claims 31-60 and 86-91, drawn to an interactive wagering system, classified in class 463, subclass 40.
 - III. Claims 61-79 and 80-85, drawn to a database processing, classified in class 707, subclass 1.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention II does not require transmitting live odds through the network. The subcombination has separate utility such as a method that does no require prompting the user to select a contest or wager.
- 3. Inventions II and III are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the

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subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because invention III does not need a search engine (data processing) to access information. The subcombination has separate utility such as a method that does no require prompting the user to select a contest or wager.

- 4. Inventions II and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as a method that does no require prompting the user to select a contest or wager. See MPEP § 806.05(d).
- 5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 6. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
- 7. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Groups II or III, restriction for examination purposes as indicated is proper.
- 8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the

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application. Any amendment of inventorship must be accompanied by a request under 37 CFR

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1.48(b) and by the fee required under 37 CFR 1.17(i).

The examiner notes that page 52 is missing from the disclosure. Applicant has faxed a

copy of the missing page to complete the Election/Restriction requirements. However, the

missing page will have to be submitted through the normal processing procedures. Applicant is

required to submit the missing page in response to this office action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Alex P. Rada whose telephone number is 703-308-7135. The

examiner can normally be reached on Monday - Friday, 08:00-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the

organization where this application or proceeding is assigned are 703-872-9302 for regular

communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-308-1148.

Alex P. Rada

Examiner

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S. THOMAS HI

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 3700

APR

October 24, 2002